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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,488	11/20/2003	Ezequiel Cervantes	TUC920030138US1	2510

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EXAMINER
DARE, RYAN A

ART UNIT	PAPER NUMBER
2186	

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/719,488	CERVANTES ET AL.
	Examiner	Art Unit	
	Ryan Dare	2186	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _20 March 2006_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-26_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-26_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _20 March 2006_ is/are: a)☒ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Drawings

1.   The corrections to the drawings are approved, and the corresponding objections

are withdrawn.

Claim Rejections - 35 USC § 112

2.   The amendment to claim 1 is approved, and the corresponding rejection under

35 U.S.C. 112 is withdrawn.

Response to Arguments

3.   Applicant's arguments, see pages 13-17, filed 3/20/06, with respect to the

rejection(s) of claim(s) 1-26 under 35 U.S.C. 102(e) as being anticipated by Swank have

been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of

Burton et al., US Patent 6,633,962.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

5.   Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Burton

et al., US Patent 6,633,962.

6.   With respect to claim 1, Burton teaches a method to control access to logical

volumes disposed in an information storage and retrieval system, comprising the steps

of:

providing an information storage and retrieval system comprising a plurality of

logical volumes, in col. 2, lines 6-12;

providing a plurality of host computers, wherein each of said plurality of host

computers is capable of communicating with said information storage and retrieval

system, in col. 1, lines 14-17;

forming (N) host computer groups, wherein (N) is greater than or equal to 1, in

col. 2, lines 10-12;

assigning one or more of said plurality of logical volumes to the (i)th host

computer group, wherein (i) is greater than or equal to 1 and less than or equal to (N), in

col. 2, lines 10-12;

forming (N) logical volume groups, in col. 2, lines 10-12;

assigning one or more of said plurality of logical volumes to the (i)th logical

volume group, wherein (i) is greater than or equal to 1 and less than or equal to (N), in

col. 2, lines 12-18;

maintaining a database associating the (i)th host host group with the (i)th logical

volume group, in fig. 2, Cluster Group 30;

permitting each of said one or more host computers assigned to the (i)th host

computer group to access each logical volume comprising said (i)th logical volume

group, in col. 2, lines 12-18;

wherein each of said plurality of host computers assigned to (i)th host computer

group is not assigned to any other of the (N) host computer groups, and wherein each

of said logical volumes assigned to the (i)th logical volume group is not assigned to any

other of the (N) logical volume groups, in col. 2, lines 12-18.

7.   With respect to claim 2, Burton teaches the method of claim 1, wherein one or

more of said (N) host computer groups are owned by a first person, and wherein one or

more of said (N) host computer groups are owned by a second person, wherein said

first person differs from said second person, in col. 3, lines 30-33.

8.   With respect to claim 3, Burton teaches the method of claim 1, further comprising

the step of providing a storage area network, wherein said storage area network is

capable of communicating with said information storage and retrieval system and with

each of said plurality of host computers, in col. 4, lines 11-17.

9.   With respect to claim 4, Burton teaches the method of claim 1, further comprising

the steps of:

        forming a plurality of unique identifiers, in col. 5, lines 18-20;

        assigning a different one of said plurality of unique identifiers to each of said

plurality of host computers, in col. 5, lines 18-20;

        associating in said database each of said plurality of unique identifiers with one

of said (N) host computer groups, in col. 5, lines 9-27.

10.   With respect to claim 5, Burton teaches the method of claim 4, further comprising

the steps of:

requesting by one of said plurality of host computers to access a designated

logical volume, in col. 2, lines 20-21;

determining that said requesting host computer is assigned to the (j)th host

computer group, wherein (j) is greater than or equal to 1 and less than or equal to (N),

in, col. 5, lines 20-26;

determining if said designated logical volume is assigned to the (j)th logical

volume group, in col. 5, lines 20-26;

operative if said designated logical volume is assigned to the (j)th logical volume

group, permitting said requesting host to access said designated volume, in col. 5, lines

20-26;

operative if said designated logical volume is not assigned to the (j)th logical

volume group, denying said requesting host access to said designated volume, in col. 5,

lines 20-26.

11.   With respect to claim 6, Burton teaches the method of claim 5, further comprising

the steps of:

establishing the unique identifier assigned to said requesting host computer, in

col. 5, lines 18-20;

determining that the requesting host computer is assigned to the (j)th logical

volume group, in col. 5, lines 17-26.

12.   With respect to claim 7, Burton teaches the method of claim 1, further comprising

the steps of:

receiving a request to assign one or more host computers to the (k)th logical

volume group, wherein (k) is greater than or equal to 1 and less than or equal to (N), in

col. 2, lines 12-13.

assigning said one or more host computers to the (k)th logical volume group, in

col. 2, lines 12-13.

13.   With respect to claim 8, Burton teaches the method of claim 1, further comprising

the steps of:

receiving a request to unassign one or more host computers from the (k)th logical

volume group, wherein (k) is greater than or equal to 1 and less than or equal to (N), in

col. 11, lines 50-56.

unassigning said one or more host computers from the (k)th logical volume

group, in col. 11, lines 50-56.

14.   With respect to claim 9, Burton teaches the method of claim 1, further comprising

the steps of:

receiving a request to unassign one or more host logical volumes from the (k)th

logical volume group, wherein (k) is greater than or equal to 1 and less than or equal to

(N), in col. 9, lines 42-47.

unassigning said one or more logical volumes from the (k)th logical volume

group, in col. 9, lines 42-47.

15.   With respect to claim 10, Burton teaches the method of claim 1, further

comprising the steps of:

    receiving a request to assign one or more host logical volumes to the (k)th logical

volume group, wherein (k) is greater than or equal to 1 and less than or equal to (N), in

col. 5, lines 20-26.

    assigning said one or more logical volumes to the (k)th logical volume group, in

col. 5, lines 20-26.

    assigning identifiers to said one ore more logical volumes newly-assigned to the

(k)th logical volume group, in col. 5, lines 20-26.

16.   With respect to claims 11-20, Applicant claims an article of manufacture

comprising a computer useable medium having computer readable program code that

performs the method of claims 1-10, and is therefore rejected using similar logic as

claims 1-10.

17.   With respect to claims 21-26, Applicant claims a computer program product

usable with a programmable computer processor having computer readable program

code that performs the method of claims 1-6, and is therefore rejected using similar

logic as claims 1-6.

Conclusion

18.   The prior art made of record on form PTO-892 and not relied upon is considered

pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to

consider these references fully when responding to this action. The documents cited

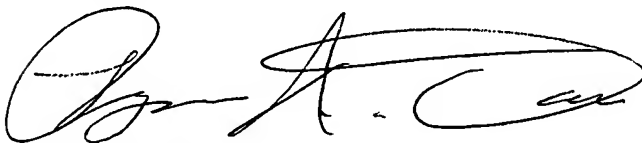therein teach similar logical volume and host group pairings.

19.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Dare whose telephone number is (571)272-4069. The examiner can normally be reached on Mon-Fri 9:30-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim can be reached on (571)272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan A. Dare
May 24, 2006

MATTHEW KIM
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